

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ART TYRONE EASTERLING, # 12430

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:18CV490-HTW-LRA

**MISSISSIPPI CORRECTIONAL SERVICES,
SHERIFF BRYAN BAILEY, BARRY VAUGHN,
JOHN DOES, and MAHUMMAD ZEIN**

DEFENDANTS

ORDER

Pro se Plaintiff Art Tyrone Easterling is a pretrial detainee at the Rankin County Jail, and he brings this Complaint challenging the conditions of his confinement. The named Defendants include **Mahummad Zein**. Plaintiff was granted permission to proceed *in forma pauperis*. After liberal review of Plaintiff's Complaint [1] and amended complaints [10, 16, 22], it is hereby,

ORDERED:

1. That the Clerk of Court is directed to issue a *Notice of Lawsuit and Request to Waive Service of a Summons* for Defendant Mahummad Zein. The Clerk is directed to attach a copy of this Order to a copy of the Complaint [1], amended complaints [10, 16, 22], the issued *Notice*, and the *Waiver of the Service of Summons* form and send them via first class mail to Jacob O. Malatesta; Hagwood, Adelman, Tipton, P.C.; Post Office Box 14188; Jackson, Mississippi 39236-4188. Defendant Mahummad Zein is directed to file a signed *Waiver* form or a Response, within 30 days.

If counsel is receiving this Order and is unable to execute a *Waiver* for a Defendant because the Defendant is not employed by the entity that counsel represents or because, after due diligence, counsel is unable to identify the Defendant from the *Notice* and Complaint, a Response should be filed. The Response, from counsel, should contain the name of the Defendant and, if previously employed by the entity counsel represents, the Response should contain the Defendant's last known address. If the Response contains a last known address it is directed to be filed under seal.

2. The Notice of Waiver will not be directed to be issued for the John Doe Defendants.

Once Plaintiff has determined the proper names and addresses of the John Doe defendants, he must file a motion with the Court requesting that process be ordered to issue for these defendants. This motion must contain the proper names of the John Doe defendants, the street addresses for the John Doe defendants and facts to support Plaintiff's allegations that his constitutional rights were violated.

3. That Defendant Mahummad Zein shall file his answer or other responsive pleading in this cause in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court.

4. That, as provided for in the Federal Rules of Civil Procedure, discovery is stayed until further order of this Court.

5. That subpoenas shall not be issued except by order of the Court. The United States District Clerk shall not issue subpoenas upon request of the *pro se* litigant, but shall instead forward the request to the Magistrate Judge assigned to this cause for review. Plaintiff shall submit all requests for the issuance of subpoenas to the Magistrate Judge's office for review.

Plaintiff should understand that this Order allowing process to issue against the above named Defendant does not reflect any opinion of this Court that the claims contained in the Complaint will or will not be determined to be meritorious.

It is Plaintiff's responsibility to prosecute this case. Failure to advise this Court of a change of address or failure to comply with any Order of this Court will be deemed as a purposeful delay and contumacious act by Plaintiff and may result in the dismissal of this case.

SO ORDERED this the 19th day of September, 2018.

s/ Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE